

DIAA Board of Directors' Meeting Minutes
June 10, 2010 – 9:00 a.m.
Collette Building

I. Opening

A. Call to Order

The meeting was called to order at 9:05 a.m. by DIAA Chairperson Gerald Kobasa.

B. Roll Call

The following DIAA Board members were present: Gerald Kobasa, Michael Wagner, Curtis Bedford, Laura Leone, Craig Eliassen, Dr. Jeffery Hawtof, Susan Coffing, Catherine Marvel, Ron Eby, Michael Modica, Randall O'Neal, Terre Taylor, Woody Long, Edna Cale, and Dr. Amelia Hodges. Paula Fontello, Deputy Attorney General and Kevin Charles, Executive Director were also in attendance. Eugene Montano, Harvey Hyland, Dr. Dianne Sole, and Dr. Mark Holodick were unable to attend.

C. Approval of Agenda

Mr. Eby made a motion to approve the agenda. The motion was seconded by Dr. Hawtof and carried unanimously.

D. Approval of Minutes of May 13, 2010 Board of Directors' Meeting

Mr. Long made a motion to approve the minutes of the May 13, 2010 Board of Directors meeting. The motion was seconded by Dr. Hawtof and carried unanimously.

E. DIAA Financial Report

Mr. Charles reviewed a report that he prepared which provides a more up-to-date financial report. Mr. Charles stated that at this point we are at \$729,768.00 which is a little over the budgeted amount and may grow a little before the end of the fiscal year. Mr. Charles commented that for the reporting period of May 4 through June 9, 2010 \$111,443.00 of income was received mainly from spring tournament revenue but also includes officials dues, corporate contracts, interest income, and weight management money. Mr. Charles then stated that the expenditures to date are \$713,268.00 which is a little less from the projected amount but does not think we will exceed that amount. Mr. Charles stated that the Student Leadership Conference facility rental is included in that but that it will have to be moved to next years budget since the conference is for the next fiscal year. Mr. Charles stated that we are \$16,500.00 in the black. Mr. Charles explained a little more in detail for the new Board members and asked them to call if they had any questions. Mr. Eby made a motion to approve the financial report. The motion was seconded by Dr. Hawtof and carried unanimously.

III. Action Items

A. Approval of Tournament Sanctions

Mr. Charles first explained the sanctioned event process to the new Board members. Mr. Charles then commented that there are 7 total requests for sanction of which include two all star games, cross country and wrestling. Mr. Charles stated that they are all in accordance with DIAA and NFHS regulations. Mr. Long made a motion to approve the sanction requests. The motion was seconded by Mr. Bedford and carried unanimously.

B. Request for Waiver of DIAA Reg. 1009.2.4 by Tower Hill for R. B.

Student, students father and Dr. Christopher Wheeler were in attendance to present this request. Students father requested a closed hearing. Ms. Coffing made a motion to go into executive session for the purposes of protecting the pupil file as an exception to the Freedom of Information Act. The motion was seconded by Ms. Marvel and carried unanimously.

While in executive session, the hearing proceeded, evidence was taken, and the Board held deliberations. Ms. Fontello explained that DIAA is a 20 member Board and has 19 voting members. Ms. Fontello further explained that the law requires the affirmative vote of a majority of the voting members present in order to pass a waiver request. Ms. Fontello explained that there are 15 voting members participating and present to consider this matter. The parties confirmed that they understood and wished to proceed. All persons participating in this hearing were sworn in. Ms. Fontello reviewed all documents pertaining to this request.

Ms. Marvel made a motion to go into deliberation. The motion was seconded by Ms. Marvel and carried unanimously. Dr. Hawtof made a motion to come out of deliberation. The motion was seconded by Mr. Bedford and carried unanimously. Mr. Wagner made a motion to come out of executive session. The motion was seconded by Mr. Eby and carried unanimously.

Mr. Long made a motion to approve the request for waiver of DIAA Reg. 1009.2.4 based on the fact that Student has met his burden of proof and established a hardship in his medical conditions beyond student and family's control and allow him to be eligible to participate in any sport in the upcoming year. The motion was seconded by Ms. Cale and carried by a vote of 14 yes (Kobasa, Wagner, Bedford, Cale, Eliassen, Leone, Marvel, Taylor, Love, Hawtof, Long, Modica, O'Neal, and Eby) and 1 abstention (Coffing).

E. Selection of T-Shirt Vendor

Mr. Charles explained that DIAA has several corporate vendors one of which is a t-shirt vendor who sells clothing, typically t-shirts, at our tournament events. Mr. Charles stated that the vendor we have had for a number of years, Martin Screen Prints, contract is up and opened it up for bids. Mr. Charles stated that there are very few vendors interested in this type of work. Mr. Charles commented that he received bids from Martin Screen Prints and Team IP. Mr. Charles explained that Team IP is relatively new and is the NFHS shirt vendor of choice. Mr. Neubauer reviewed a comparison of the two companies. Mr. Neubauer commented that Team IP is guaranteeing \$5,000.00 more a year minimum. Mr. Neubauer stated that Team IP also wants to cover the entire tournament and not just the final rounds and also sell merchandise on line and in schools. Mr. Charles commented that the pricing on the merchandise is very similar to the previous vendor. Ms. Taylor expressed concern that this would hurt school merchandise sales and Mr. Charles commented that the schools are not mandated to use these vendors. After some discussion Dr. Hawtof made a motion for the executive director to pursue a contract with Team IP pursuant to the attorney reviewing and accepting the contract. The motion was seconded by Mr. Long and carried unanimously.

D. Delaware Sports Commission Membership

Mr. Charles shared with the Board an email he sent to Janet Wright, who is Attorney for the Delaware Integrity Commission asking her for guidance if there was a conflict of interest for DIAA to become a member when Kevin serves on their Board while he is the executive director for DIAA. Mr. Charles stated that he has not received a response yet and was suggesting that this item be tabled. Ms. Fontello explained that Ms. Wright had asked for additional information and that she would contact the Delaware Sports Commission and ask for a copy of their incorporating documents and their by-laws. Mr. Eby made a motion to table. The motion was seconded by Ms. Cale and carried unanimously.

IV. A. Spring Tournament Update

Mr. Charles reviewed the state tournament attendance report and stated that there are still more softball reports that need to be added as well as baseball. Mr. Charles stated that after he receives all the reports he is expecting a good attendance for the spring sports season. Mr. Charles stated that the attendance for the year will be up a little from last year. Mr. Charles explained that the large numbers for the 2007-08 and 2006-07 school years was due to a few key players that drew a large crowd. Mr. Charles also thanked all the committee chairs for all their hard work. Mr. Charles reviewed each spring tournament and stated that all tournaments went well and received cooperation from everyone involved. Mr. Charles also added that they have stuck by trying to keep all the tournament sites close to home for the schools and it

has paid off for the schools as well as for the spectators.

B. Draft FY 11 Budget

Mr. Charles explained that the budget is normally approved in July and just wanted to review it with the Board members as it is in progress. Mr. Charles explained to the new members that there is no line item of appropriation in the general fund budget for DIAA but that we do receive assistance from the Department of Education who provide us with office space and administrative assistant. Mr. Charles stated that the attorney general's office provide us with legal counsel. Mr. Charles explained that DIAA generates all our own revenue which comes from ticket sales, member dues which pays for catastrophic insurance, and corporate contracts. Mr. Charles then reviewed the 2009-10 revenue by sport and stated that the only sports that ended up in the red were individual and team wrestling. Mr. Charles stated that the wrestling tournaments were affected by weather. Mr. Charles commented that he will update this document and email it to all Board members before the July meeting.

C. Decision on Revised Waiver Process

Mr. Charles stated that he left this on the agenda from last month and explained it to the new Board members. Mr. Charles stated that the Rules and Regulations Committee meets next week.

D. Legal Update

Ms. Fontello briefly explained for the benefit of the new board members the process that will now take place with the waiver that was brought before the Board today. She explained that she draft a written decision and send to the Board members for review to make sure it accurately reflects the Boards decisions, any comments, and for signatures. Ms. Fontello also commented that she and Mr. Charles are planning on having new member training to go through the regulations and the waiver process.

Ms. Fontello also commented on the case pertaining to St. Thomas More and A. M. which was appealed to the State Board. Ms. Fontello stated that the hearing officer has issued a written decision recommending upholding DIAA's decision. Ms. Fontello stated that this is on the agenda for the State Board's next meeting which is scheduled for June 17, 2010.

E. Miscellaneous

Mr. Charles reviewed an article in the News Journal regarding the Scholar Athlete Winners and stated that two came from Lake Forest and that all the winners and applicants were exceptional individuals.

Mr. Neubauer reviewed the new Arbiter testing and online clinic features which will be available for use during the 2010-11 school year.

V. Other

VI. Public Comment

None.

VII. Adjournment

Ms. Cale made a motion to adjourn at 10:50 a.m. The motion was seconded by Ms. Coffing and carried unanimously.

Tina Hurley

